

REMARKS

The examiner objected to the drawings.

Applicant has added a new FIG. 5A showing a write queue descriptor count command format. No new matter was added. The new FIG. 5A is supported by claim 1, as originally filed, and in the detailed description, as originally filed, at page 8, lines 1-17.

A queue manager programming engine is shown as element 27 in memory 20 in FIG. 2 as originally filed.

Applicant amended FIG. 1 to include microengines 19. No new matter was added. Support for the amendment is found in the claims as originally filed and in the detailed description on page 3, paragraph starting on line 9.

Applicant amended the detailed description to correct a grammatical error with reference to the network device; it is now properly labeled as 14.

Applicant amended FIG. 4 to properly label processing element 74. No new matter was added.

Applicant amended FIG. 5 to correct the typographical errors relating to elements 86 and 88. No new matter was added.

Applicant added a new title. No new matter was added.

Applicant added a new abstract of the invention. No new matter was added.

Applicant amended the detailed description with reference to FIG. 3 to correctly indicate that a pointer 32 points to a next element's address 34. No new matter was added.

The examiner rejected claims 4-14 under 35 U.S.C. §112, second paragraph.

Applicant amended claim 4 to clearly indicate the memory of the network device.

The examiner argues that "maintain a count field" is indefinite.

Applicant disagrees. Applicant's detailed description clearly indicates:

The output queue 22 includes a linked list of elements each of which has a pointer 32 to the next element 30 in the output queue 22. Each element in the linked list 30 includes an address 34 of information stored in memory 20 that the linked list element represents. The queue descriptor 24 includes a head pointer 36, a tail pointer 38 and a count 40. The head pointer 36 points to the first linked list element 30 of the queue 22, and the tail pointer 38 points to the last linked list element 30 of the output queue 22. The count 40

identifies a number (N) of linked list elements 30 in the output queue 22. (Page 5, lines 9-19)

(A) write queue descriptor process 100 includes receiving (102) an address and a queue subsequent to an enqueue or dequeue command. The process 100 maintains (104) a count field for all queue descriptors current in memory for the microengine implementing congestion avoidance. The process 100 writes (106) a single word containing the queue count information for the queue entry that hits the queue array in the cache. (Page 8, lines 18-23; page 9, lines 1-2)

Clearly the count 40 is "maintained" to reflect a changing number (N) of linked list elements 30 in output queue 22. Accordingly, claim 11 is proper under 35 U.S.C. §112, second paragraph.

Applicant amended claims 5 and 12 to indicate the count is stored in a word.

The examiner rejected claims 1-3 as non-statutory under 35 U.S.C. §101.

Applicant amended claims 1-3 to recite a computer program product, tangibly embodied in an information carrier. Claims 1-3, as amended, recite statutory subject matter.

The examiner uses Woldrich to reject claim 4-6 as having been anticipated.

Claim 4, as amended, recites "in a network device, maintaining a count field for queue descriptors of active output queues current in a memory of the network device. Woldrich neither describes nor suggests a count field for queue descriptors of active output queues. Woldrich discloses "...a "cell count" that indicates the number of cells contained in a data buffer." (Page 2, col. 2, paragraph 0015) Accordingly, claims 4-6 are not anticipated by Woldrich.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant : Mark B. Rosenbluth et al.
Serial No. : 10/024,502
Filed : December 17, 2001
Page : 10 of 10

Attorney's Docket No.: 10559-619001 / P12858

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: January 10, 2005

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Page : 7 of 10

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Amendments to the Drawings:

The attached replacement sheets of drawings includes changes to Fig. 1, Fig. 4, and Fig. 5 and replaces the original sheet including Fig.1, Fig. 4 and Fig. 5.

The attached new sheet of drawing includes Fig. 5A.

Attachments following last page of this Amendment:

Replacement Sheet (3 pages)

New Drawing(1 page)

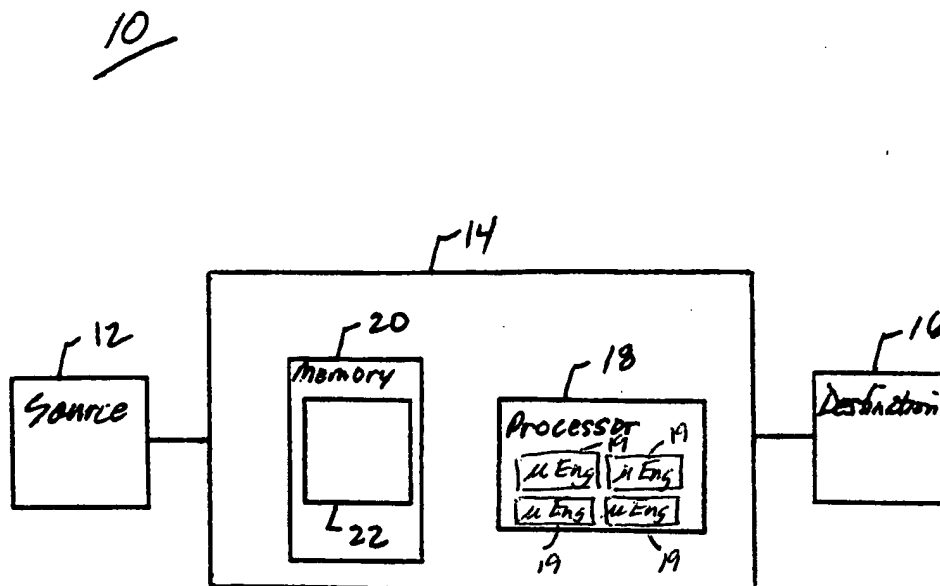
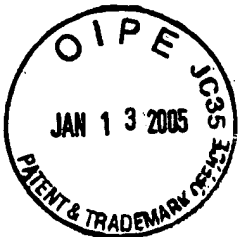


FIG. 1

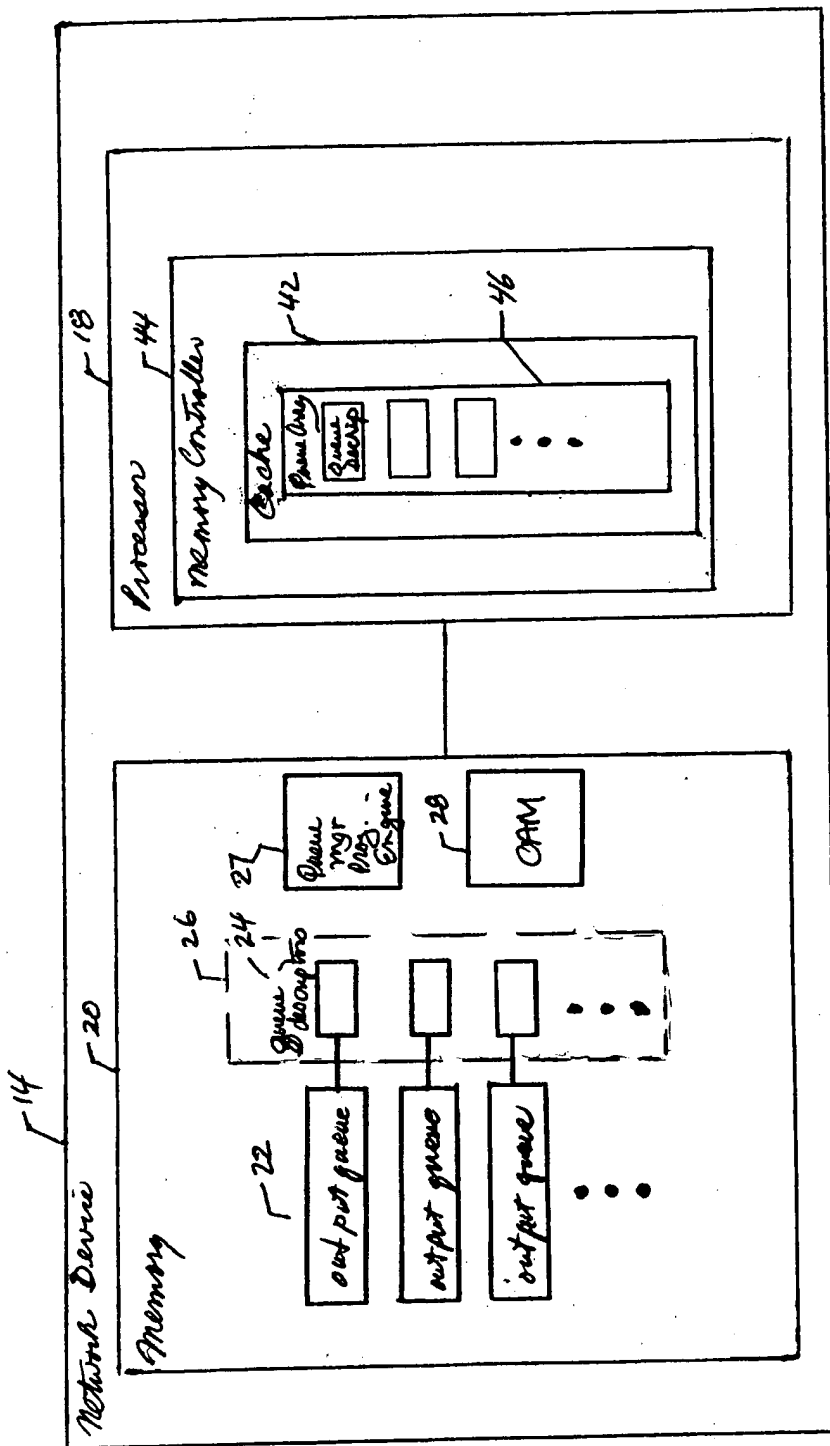


FIG. 2

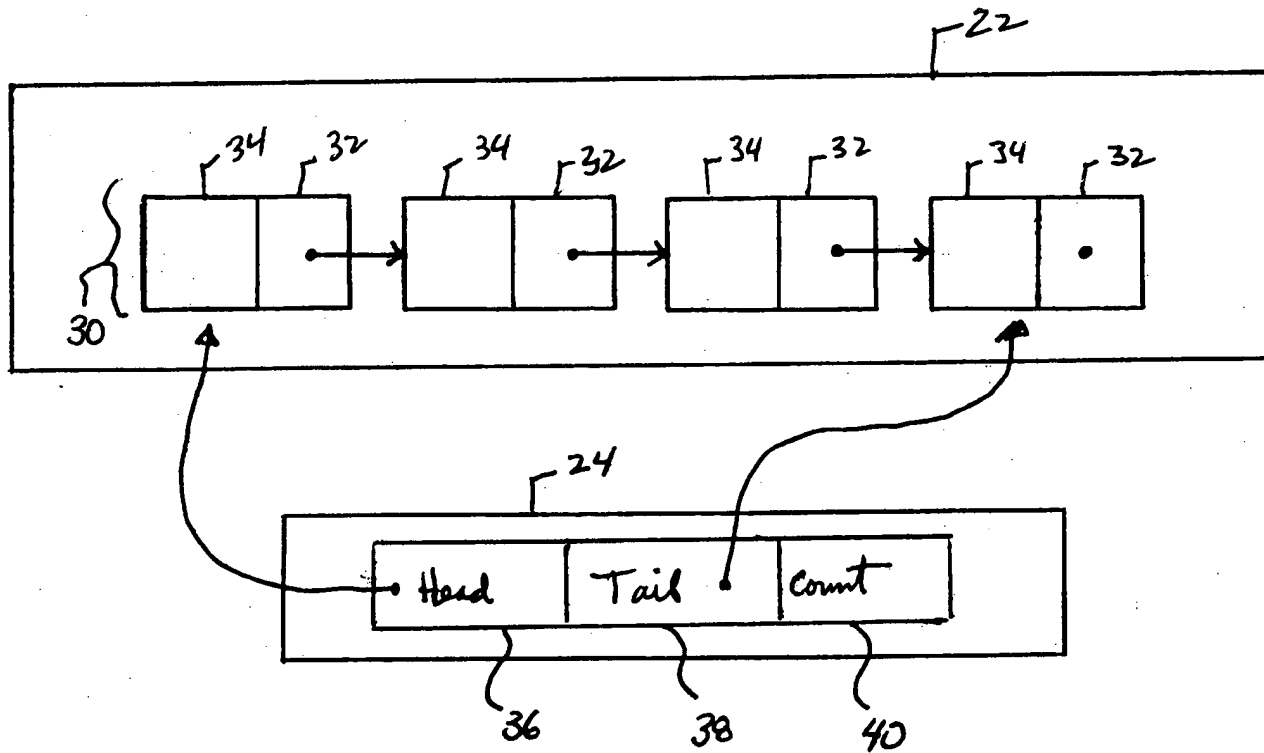


FIG. 3

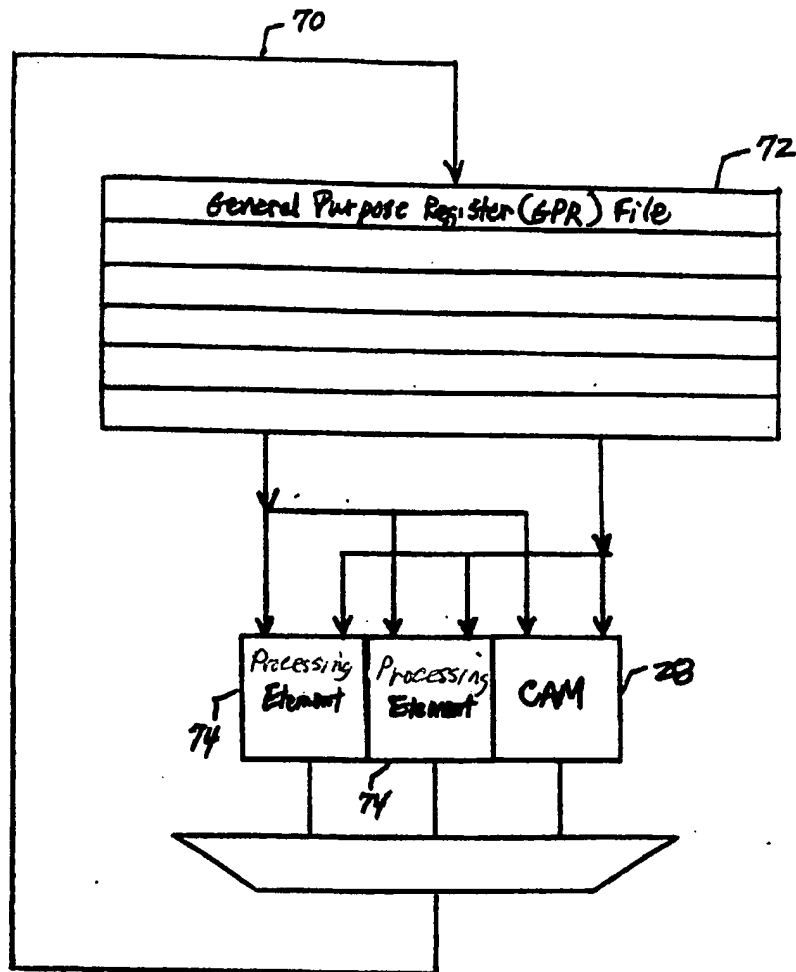
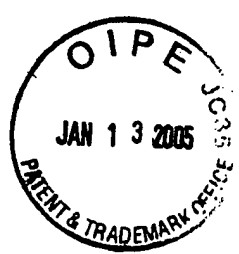


FIG. 4



28

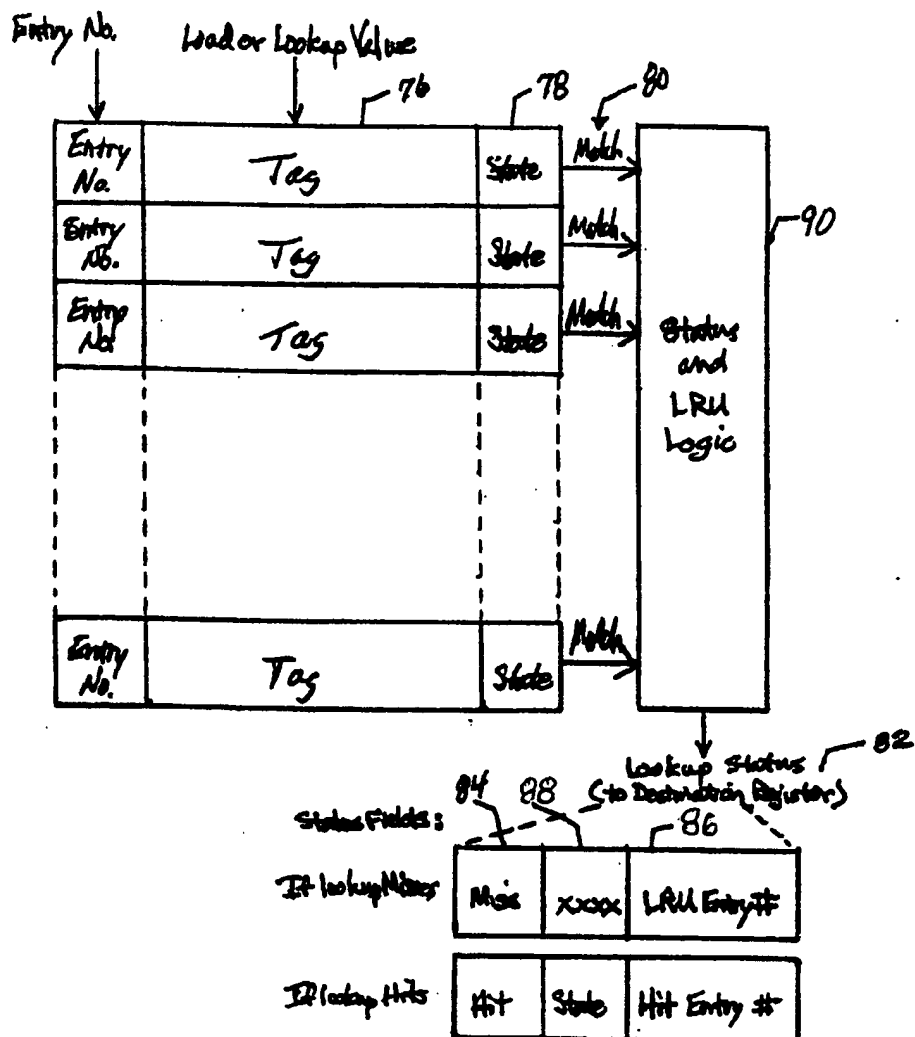


FIG. 5



Write_Q_Descriptor_Count Command Format

address	entry
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FIG. 5A



100

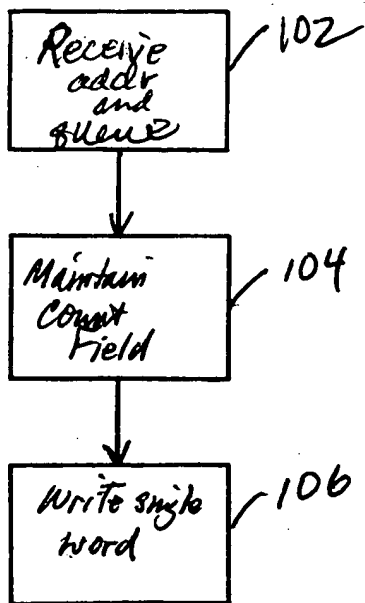


FIG. 6